

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 24-cr-80011-Cannon/McCabe

UNITED STATES OF AMERICA,

v.

JAMIE MICHAEL LARKIN,

Defendant.

REPORT & RECOMMENDATION

THIS CAUSE comes before the Court upon Defendant's Unopposed Motion for Leave to Continue Current Employment and/or Clarification of Sentence, which was referred to the undersigned by United States District Judge Aileen M. Cannon. (DE 66, DE 68). Because this motion arose post-trial and concerns post-trial activity, the Court regards this referral to fall within the scope of 28 U.S.C. § 636(b)(3). *See State Contracting & Eng'g Corp. v. Condotte Am., Inc.*, No. 97-7014-CV, 2005 WL 8165478, *2 (S.D. Fla. Aug. 12, 2005) (recognizing that post-trial motions can be referred under § 636(b)(3)). The Court therefore resolves this motion by way of Report and Recommendation.

I. DISCUSSION

On February 22, 2024, Defendant pled guilty to healthcare fraud offenses. (DE 16). Thereafter, on July 24, 2024, the Court sentenced him to twelve months' imprisonment followed by two years of supervised release with several special conditions, one of which was titled "Health Care Business Restriction":

The defendant shall not own, directly or indirectly, or be employed, directly or indirectly, in any health care business or service, which submits claims to any private or government insurance company, without the Court's approval.

(DE 44 at 5).

By way of this motion, Defendant seeks Court permission to work for a company that he owns called 1000 Lives LLC, which operates under the d/b/a “IV Me Now.” According to Defendant, IV Me Now is a mobile vitamin/supplement business that operates as a cash-pay business with no private or government insurance billing of any kind. (DE 66 at 4). According to Defendant, the Government does not oppose his continued ownership or work with IV Me Now. (DE 66 at 4).

Given the lack of insurance billing, and the lack of opposition from the Government, the Court recommends that Defendant’s motion be granted. He should be permitted to own and operate IV Me Now so long as the company continues to operate with no private or government insurance billing.

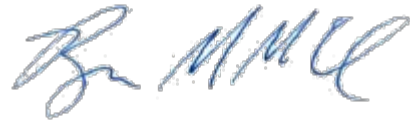
II. CONCLUSION & NOTICE OF RIGHT TO OBJECT

For the reasons stated above, the undersigned **RECOMMENDS** as follows:

1. Defendant’s Unopposed Motion for Leave to Continue Current Employment and/or Clarification of Sentence (DE 66) should be **GRANTED**.
2. Defendant should be permitted to own and operate IV Me Now so long as the company continues to operate without private or government insurance billing. Such work shall not be deemed a violation of Defendant’s conditions of supervised release.
3. The parties shall have fourteen (14) days from the date of being served with a copy of this Report and Recommendation within which to file written objections, if any, with United States District Judge Aileen M. Cannon. Failure to file objections timely shall bar the parties from a de novo determination by the District Judge of an issue covered in the Report and Recommendation and shall bar the parties from attacking on appeal unobjected-to factual and legal

conclusions contained in this Report and Recommendation. *See* 28 U.S.C. § 636(b)(1); 11th Cir. R. 3-1.

RESPECTFULLY SUBMITTED in Chambers at West Palm Beach in the Southern District of Florida, this 9th day of July 2025.

A handwritten signature in blue ink, appearing to read 'R. McCabe', is positioned above a horizontal line.

RYON M. MCCABE
U.S. MAGISTRATE JUDGE